

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
COURCHEVEL 1850 LLC,

Plaintiff,

16-cv-06716-NGG-RER

-against-

MARIA PINTO-BEDOYA; Y & S DELEVOPMENT OF
NY, INC.; DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT; NEW YORK STATE DEPARTMENT
OF TAXATION AND FINANCE; NEW YORK CITY
ENVIRONMENTAL CONTROL BOARD and JOHN DOE "1"
through "12", said persons or parties having or claimed to have
a right, title or interest in the Mortgaged premises herein, their
respective names are presently unknown to the Plaintiff,

Defendants.

REQUEST FOR
CLERK'S CERTIFICATE
OF DEFAULT

TO: DOUGLAS C. PALMER
CLERK, UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF NEW YORK

In accordance with Rule 55(a) of the Federal Rules of Civil Procedure, Entry of Default
and the issuance of a Certificate of Entry of Default is hereby requested against Defendants Maria
Pinto-Bedoya, Y & S Development of NY, Inc., Department of Housing Preservation and
Development, New York State Department of Taxation and Finance, New York City
Environmental Control Board as appears from the attached Affirmation of Alan H. Weinreb, Esq.,
dated January 27, 2017.

Dated: Syosset, New York
January 27, 2017

THE MARGOLIN & WEINREB
LAW GROUP, LLC

By: /s/ Alan H. Weinreb
ALAN H. WEINREB, ESQ.
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COURCHEVEL 1850 LLC,

Plaintiff,

X
16-cv-06716-NGG-RER

-against-

MARIA PINTO-BEDOYA; Y & S DELEVOPMENT OF
NY, INC.; DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT; NEW YORK STATE DEPARTMENT
OF TAXATION AND FINANCE; NEW YORK CITY
ENVIRONMENTAL CONTROL BOARD and JOHN DOE "1"
through "12", said persons or parties having or claimed to have
a right, title or interest in the Mortgaged premises herein, their
respective names are presently unknown to the Plaintiff,

Defendants.

AFFIRMATION
IN SUPPORT OF
REQUEST FOR
CLERK'S CERTIFICATE
OF DEFAULT

1. I am an attorney duly admitted to practice in the Federal Courts of the Eastern District of the State of New York. I am a partner at The Margolin & Weinreb Law Group, LLC, attorneys for the Plaintiff in the above-entitled action. I am familiar with all the facts and circumstances in this action. This Affirmation is submitted in support of Plaintiff's request that default be entered against Defendant parties pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

2. This action was commenced on December 5, 2016, by filing a Complaint for the foreclosure of a mortgage on real property, commonly known as 2052 East 53rd Place, Brooklyn, NY 11234.

3. A Summons with a copy of the Complaint were duly served pursuant to Rule 4(e) of the Federal Rules of Civil Procedure upon Defendants Maria Pinto-Bedoya, Y & S Development of NY, Inc., Department of Housing Preservation and Development, New York State Department of Taxation and Finance, New York City Environmental Control Board. A copy of the filed Affidavits of Service are attached hereto as Exhibit "A".

4. As appears by the Affidavits of Service, duly electronically filed, the following defendants named in the Complaint in this action were duly served with the Summons and Complaint more than twenty days ago: Defendants Maria Pinto-Bedoya, Y & S Development of NY, Inc., Department of Housing Preservation and Development, New York State Department of Taxation and Finance, New York City Environmental Control Board. Upon information and belief, none of the individual defendants are in the military service of the United States of America, as defined in the Soldiers and Sailors Civil Relief Action of 1940, nor are any of the defendants infants or incompetent persons.
5. Defendants Maria Pinto-Bedoya, Y & S Development of NY, Inc., Department of Housing Preservation and Development, New York State Department of Taxation and Finance, New York City Environmental Control Board are in default for want of appearance, defense or answer, although the time for each defendant to appear, answer, or otherwise defend in this action has expired.

WHEREFORE, it is hereby requested that the Clerk of Court enter default against defendants Maria Pinto-Bedoya, Y & S Development of NY, Inc., Department of Housing Preservation and Development, New York State Department of Taxation and Finance, New York City Environmental Control Board in accordance with Rule 55(a) of the Federal Rules of Civil Procedure.

Pursuant to Title 28, United States Code, Section 1746, I hereby state under penalty of perjury that the foregoing is true and correct, to the best of my knowledge, information and belief.

Dated: Syosset, New York
January 27, 2017

THE MARGOLIN & WEINREB
LAW GROUP, LLC

By: /s/ Alan H. Weinreb
ALAN H. WEINREB, ESQ. (AW 9361)
Attorneys for Plaintiff
165 Eileen Way, Suite 101
Syosset, NY 11791
(516) 945-6055
alan@nyfclaw.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
COURCHEVEL 1850 LLC,

Plaintiff,

16-cv-06716-NGG-RER

-against-

MARIA PINTO-BEDOYA; Y & S DELEVOPMENT OF
NY, INC.; DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT; NEW YORK STATE DEPARTMENT
OF TAXATION AND FINANCE; NEW YORK CITY
ENVIRONMENTAL CONTROL BOARD and JOHN DOE "1"
through "12", said persons or parties having or claimed to have
a right, title or interest in the Mortgaged premises herein, their
respective names are presently unknown to the Plaintiff,
Defendants.

CLERK'S CERTIFICATE
OF DEFAULT

-----X

I, DOUGLAS C. PALMER, Clerk of the Court of the United States District Court for the
Eastern District of New York, do hereby certify that the Defendants Maria Pinto-Bedoya, Y & S
Development of NY, Inc., Department of Housing Preservation and Development, New York State
Department of Taxation and Finance, New York City Environmental Control Board have not filed
an answer or otherwise moved with respect to the Complaint herein.

The default of the Defendants Maria Pinto-Bedoya, Y & S Development of NY, Inc.,
Department of Housing Preservation and Development, New York State Department of Taxation
and Finance, New York City Environmental Control Board is hereby noted pursuant to Rule 55(a)
of the Federal Rules of Civil Procedure.

Dated: _____, New York
, 2017

CLERK OF THE COURT

By: _____
Deputy Clerk

EXHIBIT “A”

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

2533832

Index no :1:16-CV-06716-NGG-RER

AFFIDAVIT OF SERVICE

Plaintiff(s):	COURCHEVAL 1850 LLC,
Defendant(s):	MARIA PINTO-BEDOYA, ET AL

STATE OF NEW YORK
COUNTY OF SUFFOLK ss.:

JAMES MANDRY, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the STATE OF NEW YORK.

On 01/04/2017 at 11:00 AM, I served the within 1303 NOTICE-Help for Homeowners in Foreclosure in bold fourteen-point type and printed on colored paper, and the title to the notice printed in twenty-point type in compliance with RPAPL Sect 1303.; SUMMONS IN A CIVIL ACTION AND VERIFIED COMPLAINT; CERTIFICATE OF MERIT Bearing Index Number 1:16-CV-06716-NGG-RER and date of filing of 12/05/2016 on MARIA PINTO-BEDOYA at 2339 19TH STREET, APT 2B, ASTORIA, NY 11105 in the manner indicated below:

INDIVIDUAL: by delivering thereat a true copy of each to said Defendant(s) personally; deponent knew the person so served to be the person described herein by deponent asking the person if he or she is the named defendant and the person responding that he or she is in fact the person named in this action as the defendant.

Comments: 2 STORY BROWN BRICK AND BEIGE SIDED RESIDENCE

A description of the defendant, or other person served on behalf of the defendant is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Tan	Black	40	5ft4in - 5ft7in	125-149 lbs
Other Features:					

Your deponent asked the above mentioned defendant whether he or she was active in the military service and received a negative reply. Upon information and belief I have; being based on the conversations and observations above narrated, defendant is not active in the military service.


X
JAMES MANDRY
License#: 1463296
Alstate Process Service Inc.
60 Burt Drive
Deer Park, NY 11729
631/667-1800

Sworn to and subscribed before me on



Notary Public,

YARALIZ ARCHACKI
Notary Public, State of New York
No. 01AR6288796
Qualified in Suffolk County
Commission Expires June 17, 2017

THE MARGOLIN & WEINREB LAW GROUP, LLP
165 EILEEN WAY, SUITE 101
SYOSSET, NY 11791
516-921-3838

Atty File#: 2052 E 53RD PL



2533832

Affidavit of Service by Mail
PURSUANT TO CPLR 3215

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

COURCHEVAL 1850 LLC,
-against-
MARIA PINTO-BEDOYA, ET AL

Att File: 2052 E 53RD PL
Internal Id: 2533832
Index: 1:16-CV-06716-NGG-RER
S & C Filed: 12/05/2016

State of New York
County of Suffolk ss.:

JAMES MANDRY being duly **sworn**, deposes and says deponent is not a party to this action and is over the **age of eighteen years** and **resides** in the State of New York.

That on **1/9/17** Deponent mailed a copy of the **SUMMONS and 1303 Notice** in this action on those defendants listed below by first class mail in an envelope bearing the legend "personal and confidential" and not indicating on the outside of the envelope that the communication is from an attorney or concerns an alleged debt.

Defendant(s): MARIA PINTO-BEDOYA
2339 19TH STREET, APT 2B , ASTORIA, NY 11105

Said mailing(s) was made to the Defendant(s) place of residence.

The foregoing statements are true, under penalty of perjury.

Sworn to before me on: **1/9/17**

JAMES MANDRY

YARALIZ ARCHACKI
Notary Public, State of New York
No. 01AP6253988
Qualified in Suffolk County
Commission Expires: 11/10/17

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2533833

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

AFFIDAVIT OF SERVICE

Case no : 1:16-CV-06716-NGG-RER
Date Index Number Purchased: 12/05/2016

Plaintiff(s):	COURCHEVAL 1850 LLC,
Defendant(s):	MARIA PINTO-BEDOYA, ET AL

STATE OF NEW YORK
COUNTY OF ALBANY ss.:

Corey Doyle, being duly sworn, deposes and says: that the deponent is not a party to this action, is over 18 years of age and resides in the State of New York.

That on **12/28/2016** at **4:10 PM**, at the office of the Secretary of State of the State of New York in the City of Albany, NY, deponent served the within **SUMMONS IN A CIVIL ACTION AND VERIFIED COMPLAINT; CERTIFICATE OF MERIT** upon **Y & S DEVELOPMENT OF NY, INC.** at **ONE COMMERCE PLAZA, 99 WASHINGTON AVENUE, ALBANY, NY 12231**.

Defendant/respondent in this action by delivering and leaving with **SUE ZOUKY**, authorized agent in the office of the Secretary of State of the State of New York, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of \$40.00. That said service was made pursuant to **Section 306 of the Business Corporation Law**.

Deponent further says that the person so served was known as aforesaid to be an authorized agent in the office of the Secretary of State of the State of New York duly authorized to accept such service on the behalf of said defendant/respondent.

Deponent further states that the person actually served is described as follows :

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	White	Brown	60-62	5Ft0In	120 lbs

Other Features:

Documents were properly endorsed with index number and date of filing.

Sworn to and subscribed before me on 12/30/2016

Notary Public

✓ Sherie A Scarles
Notary Public, State of NY
No. 01SE6179623
Qualified in Albany County
Commission Expires 12/17/2019

✓ CARLI R. BENDER
Notary Public - State of New York
No. 01BE6347051
Qualified in Rensselaer County
Commission Expires Aug. 29, 2020

✓ Kerry Gunner
Notary Public, State of NY
No. 01GU5038710
Qualified in Albany County
Commission expires 02/06/19

X

Corey Doyle
Alstate Process Service Inc.
60 Burt Drive
Deer Park, NY 11729
631-667-1800
2533833
2052 E 53RD PL

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UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF NEW YORK

2533835

Index no :1:16-CV-06716-NGG-RER

AFFIDAVIT OF SERVICE

Plaintiff(s):	COURCHEVAL 1850 LLC,
Defendant(s):	MARIA PINTO-BEDOYA, ET AL

STATE OF NEW YORK
COUNTY OF SUFFOLK ss.:

Melvin Rolfe, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the STATE OF NEW YORK.

On 12/22/2016 at 10:58 AM, I served the within SUMMONS IN A CIVIL ACTION AND VERIFIED COMPLAINT; CERTIFICATE OF MERIT Bearing Index Number 1:16-CV-06716-NGG-RER and date of filing of 12/05/2016 on DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT at 100 CHURCH STREET, 1ST FLOOR, NEW YORK, NY 10007 in the manner indicated below:

MUNICIPALITY: By delivering a true copy of said documents to **B. MAZYCK, CLERK** of the above named MUNICIPALITY. The undersigned asked the recipient if he/she is authorized to accept service on behalf of **DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**, and the recipient responded in the affirmative.

A description of the **defendant**, or other person served on behalf of the **defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Black	Gray	58	5ft4in - 5ft7in	150-174 lbs

Other Features: GLASSES

Affidavit Comments: 1ST FLOOR

Sworn to and subscribed before me on

12/28/16

Lauren Montenegro
Notary Public,

X
Melvin Rolfe
License#: 0916782
Alstate Process Service Inc.
60 Burt Drive
Deer Park, NY 11729
631/667-1800

THE MARGOLIN & WEINREB LAW GROUP, LLP
165 EILEEN WAY, SUITE 101
SYOSSET, NY 11791
516-921-3838

Atty File#: 2052 E 53RD PL

LAUREN MONTENEGRO
Notary Public, State of New York
No. 01MO8289797
Qualified in Suffolk County
Commission Expires June 17, 2017

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THE MARGOLIN & WEINREB LAW GROUP, LLP
Corp/Business ServiceUNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

2533837

AFFIDAVIT OF SERVICE

Civil Action no : 1:16-CV-06716-NGG-RER
Filed Date: 12/05/2016
Office No: 2052 E 53RD PL

Plaintiff(s):	COURCHEVAL 1850 LLC,
-vs-	
Defendant(s):	MARIA PINTO-BEDOYA, ET AL

STATE OF NEW YORK COUNTY OF ALBANY ss.:

Angel Serrano, the undersigned, being duly sworn, deposes and says: that the deponent is not a party to this action, is over 18 years of age and resides in the STATE OF NEW YORK.

On 12/28/2016 at 11:00 AM, deponent served the within SUMMONS IN A CIVIL ACTION AND VERIFIED COMPLAINT; CERTIFICATE OF MERIT on NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE at WA HARRIMAN STATE CAMPUS, BUILDING 9, ALBANY, NY 12227 in the manner indicated below:

By delivering a true copy of each to and leaving with WENDY CROUSE, DESIGNATED AGENT who stated he/she is duly authorized to accept legal documents.

A description of the Defendant, or other person served on behalf of the Defendant is as follows:

Sex	Color of skin/race	Color of hair	Age(Approx)	Height(Approx)	Weight(Approx)
Female	White	Brown	42-45	5Ft3In	170 lbs
Other Features: Glasses					

Sworn to and subscribed before me on
12-30, 2016

Notary Public

Sherie A Searles
Notary Public, State of NY
No. 01SB6179623
Qualified in Albany County
Commission Expires 12/17/2019

X
Angel Serrano
Alstate Process Service Inc.
60 Burt Drive
Deer Park, NY 11729
631-667-1800

THE MARGOLIN & WEINREB LAW GROUP, LLP
165 EILEEN WAY, SUITE 101
SYOSSET, NY 11791

2533837



2052 E 53RD PL

Kerry Gunner
Notary Public, State of NY
No. 01GU5038710
Qualified in Albany County
Commission expires 02/06/19

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UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF NEW YORK

2533839

Index no :1:16-CV-06716-NGG-RER

AFFIDAVIT OF SERVICE

Plaintiff(s):	COURCHEVAL 1850 LLC,
Defendant(s):	MARIA PINTO-BEDOYA, ET AL

STATE OF NEW YORK
COUNTY OF SUFFOLK ss.:

Melvin Rolfe, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the STATE OF NEW YORK.

On 12/22/2016 at 10:58 AM, I served the within SUMMONS IN A CIVIL ACTION AND VERIFIED COMPLAINT; CERTIFICATE OF MERIT Bearing Index Number 1:16-CV-06716-NGG-RER and date of filing of 12/05/2016 on NEW YORK CITY ENVIRONMENTAL CONTROL BOARD at 100 CHURCH STREET, 1ST FLOOR, NEW YORK, NY 10007 in the manner indicated below:

MUNICIPALITY: By delivering a true copy of said documents to **B. MAZYCK, CLERK** of the above named MUNICIPALITY. The undersigned asked the recipient if he/she is authorized to accept service on behalf of **NEW YORK CITY ENVIRONMENTAL CONTROL BOARD**, and the recipient responded in the affirmative.

A description of the defendant, or other person served on behalf of the defendant is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Female	Black	Gray	58	5ft4in - 5ft7in	150-174 lbs
Other Features: GLASSES					

Affidavit Comments: 1ST FLOOR

Sworn to and subscribed before me on

10/28/16

Lauren Montenegro
Notary Public,

LAUREN MONTENEGRO
Notary Public, State of New York
No. 01MO6283797
Qualified in Suffolk County
Commission Expires June 17, 2017

X
Melvin Rolfe
License#: 0916782
Astate Process Service Inc.
60 Burt Drive
Deer Park, NY 11729
631/667-1800

THE MARGOLIN & WEINREB LAW GROUP, LLP
165 EILEEN WAY, SUITE 101
SYOSSET, NY 11791
516-921-3838

Atty File#: 2052 E 53RD PL